



December 17, 2019

VIA HAND DELIVERY

The Honorable Jocelyn G. Boyd
Chief Clerk/Administrator
Public Service Commission of South Carolina
101 Executive Center Drive
Columbia, South Carolina 29210

RE: Dominion Energy South Carolina, Inc.
Request for Approval of Third Amendment to Contract for Electric Service and
Sixth Amendment to Contract for Electric Service with DAK Americas LLC
Docket No. 2019-~~383~~**383E**

Dear Ms. Boyd:

Pursuant to S.C. Code Ann. Regs. 103-303 (2012), Dominion Energy South Carolina, Inc. ("DESC" or "Company") hereby files with the Public Service Commission of South Carolina ("Commission") and seeks approval of the Third Amendment to the Contract for Electric Service ("Third Amendment") between DESC and DAK Americas LLC ("DAK Americas") for the provision of electric service to DAK Americas' Cooper River Plant located in Moncks Corner, South Carolina, and approval of the Sixth Amendment to the Contract for Electric Service ("Sixth Amendment") between DESC and DAK Americas for the provision of electric service to DAK Americas' Sandy Run Plant located in Gaston, South Carolina. DESC requests that such approvals be effective as of January 1, 2020, the effective date of the Third Amendment and Sixth Amendment.

With respect to the Cooper River Plant, DESC (formerly South Carolina Electric & Gas Company) and DAK Americas entered into a Contract for Electric Service effective April 27, 2005. That contract was first amended on December 1, 2014, and again on October 1, 2015. If approved, the term of this Third Amendment shall be effective for five years beginning January 1, 2020, through December 31, 2024.

With respect to the Sandy Run Plant, DESC (formerly South Carolina Electric & Gas Company) and Eastman Chemical Company, South Carolina Operations (formerly known as Carolina Eastman Division, Eastman Chemical Company and as Eastman Chemical Company, through its Voridian Division) entered into a Contract for Electric Service effective January 1, 1999. That contract was first amended on January 2, 2003, and again on June 1, 2010. On January 25, 2011, DAK Americas assumed the contract, as amended, pursuant to an Assignment and Assumption Agreement. The contract was subsequently amended a fourth time effective June 1, 2013, and a fifth time effective December 1, 2014. If approved the term of this Sixth Amendment shall be effective for five years beginning January 1, 2020, through December 31, 2024.

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Due to the commercial sensitivity and proprietary nature of certain provisions of the Third Amendment and Sixth Amendment as well as the highly competitive nature of the industry in which DAK Americas operates, the Company and DAK Americas respectfully request that the Commission find that the Third Amendment and Sixth Amendment contain protected information and issue a protective order barring the disclosure of the Third Amendment and Sixth Amendment under the Freedom of Information Act, S.C. Code Ann. §§ 30-4-10 *et seq.*, S.C. Code Ann. Regs. 103-804(S)(1), or any other provision of law. Pursuant to S.C. Code Ann. Regs. 103-804(S)(2), the determination of whether a document may be exempt from disclosure is within the Commission's discretion.

To this end, and in accordance with Commission Order No. 2005-226, dated May 6, 2005, in Docket No. 2005-83-A, we enclose with this letter redacted versions of the Third Amendment and Sixth Amendment that protect from disclosure the sensitive, proprietary and commercially valuable information, while making available for public viewing non-protected information. We also enclose copies of the unredacted Third Amendment and Sixth Amendment in separate, sealed envelopes and respectfully request that, in the event that anyone should seek disclosure of this unredacted Third Amendment and/or Sixth Amendment, the Commission notify DESC of such request and provide it with an opportunity to obtain an order from this Commission or a court of competent jurisdiction protecting the Third Amendment and/or Sixth Amendment from disclosure.

Enclosed are the following:

- (1) A true and correct copy of the original Third Amendment in a sealed envelope marked "CONFIDENTIAL." Each page of the Third Amendment is also marked "CONFIDENTIAL."
- (2) Ten (10) copies of a redacted copy of the Third Amendment for filing and public disclosure.
- (3) A true and correct copy of the original Sixth Amendment in a sealed envelope marked "CONFIDENTIAL." Each page of the Sixth Amendment is also marked "CONFIDENTIAL."
- (4) Ten (10) copies of a redacted copy of the Sixth Amendment for filing and public disclosure.

By copy of this letter, we are providing the South Carolina Office of Regulatory Staff ("ORS") with redacted copies of the Third Amendment and Sixth Amendment for its records. Additionally, DESC will make the original, unredacted copies of the Third Amendment and Sixth Amendment available to ORS for its review.

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Thank you for your assistance and consideration of this matter. If you have any questions, please do not hesitate to contact us at your convenience.

Very truly yours,



Matthew W. Gissendanner

MWG/kms

Enclosure

cc: Dawn Hipp
Jeffrey M. Nelson, Esquire
(all via hand delivery)